

United States Court of Appeals
For the Eighth Circuit

No. 12-2205

United States of America

Plaintiff - Appellee

v.

Tyson Burris

Defendant - Appellant

Appeal from United States District Court
for the District of South Dakota - Rapid City

Submitted: August 30, 2012

Filed: September 10, 2012

[Unpublished]

Before WOLLMAN, MELLOY, and SHEPHERD, Circuit Judges.

PER CURIAM.

After Tyson Burris admitted violations of his release conditions, the district court¹ revoked his supervised release and imposed a sentence of 12 months in prison

¹The Honorable Jeffrey L. Viken, United States District Judge for the District of South Dakota.

and 1 year of supervised release. Burris appeals, arguing that the court did not adequately consider his circumstances and that the sentence is unreasonable. We disagree. The record shows that the district court properly considered the relevant sentencing factors before imposing a revocation sentence that was authorized by statute and within the applicable Guidelines range. See 18 U.S.C. § 3583(b), (e)(3), (h); United States v. Petreikis, 551 F.3d 822, 824 (8th Cir. 2009) (applying presumption of substantive reasonableness to revocation sentence within Guidelines range); United States v. White Face, 383 F.3d 733, 740 (8th Cir. 2004) (court need not list every 18 U.S.C. § 3553(a) factor when sentencing defendant upon revocation of supervised release).

Accordingly, we affirm the judgment of the district court. We also grant counsel's motion to withdraw, subject to counsel informing Burris about procedures for seeking rehearing or filing a petition for certiorari.
